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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/555,857	09/25/2006	Michel Gillard	SGK-028	4435

24964 7590 04/06/2011  
GOODWIN PROCTER LLP  
ATTN: PATENT ADMINISTRATOR  
620 Eighth Avenue  
NEW YORK, NY 10018

EXAMINER
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USELDING, JOHN E

ART UNIT	PAPER NUMBER
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1763

NOTIFICATION DATE	DELIVERY MODE
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04/06/2011

ELECTRONIC

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

bdowd@goodwinprocter.com  
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**Attachment to Advisory**

***Response to Amendment***

The claims filed 3/23/2011 are not being entered because they raise new issues for claims 53-57, 60, and 67. While a claim with all the limitations of claim 51 had been considered before, the remainder of the claims never included the limitation “and an antifoulant”. The remarks will be considered as they related to claim 51 only.

***Response to Arguments***

Applicant's arguments filed 3/23/2011 have been fully considered but they are not persuasive.

The Applicant has made the argument that there is no evidence that the organosilyl ester of Plehiers is present in the final paint composition. This is not persuasive because it is present in a composition that is used for painting. It is noted that a “paint composition” is merely a recitation of an intended use. A recitation of the intended use of the claimed invention must result in a structural difference between the claimed invention and the prior art in order to patentably distinguish the claimed invention from the prior art. If the prior art structure is capable of performing the intended use, then it meets the claim.

The Applicant has stated that the composition of Slater is hydrolysable, while the coating of Slater is not. It is the composition of Slater that is being used to reject the claims. Since the coating is hydrolysable, the limitations are met.

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***Contact Information***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to John Uselding whose telephone number is (571)270-5463. The examiner can normally be reached on Monday-Thursday 6:00am-4:30pm EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Milton Cano can be reached on 571-272-1398. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Milton I. Cano/  
Supervisory Patent Examiner, Art Unit 1763

/JU/  
Examiner  
Art Unit 1763